

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ESTATE OF VALERIE YOUNG, et al.,

plaintiffs,

- against -

STATE OF NEW YORK OFFICE OF MENTAL
RETARDATION AND DEVELOPMENTAL
DISABILITIES, et al.,

defendants.

ECF Case

Case No.: 07-CV-06241-LAK-DCF

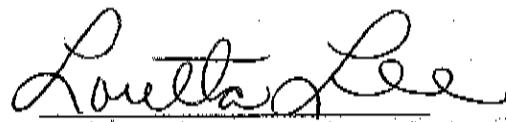
**DECLARATION OF LORETTA
LEE IN OPPOSITION TO THE
MOTION FOR SUMMARY
JUDGMENT**

LORETTA LEE certifies pursuant to 28 USC §1746 and under penalty of perjury, that the following is true and correct:

1. I am Valerie Young's sister and a plaintiff in this action. I make this Declaration of my personal knowledge unless otherwise noted. This Declaration is in Opposition to the Motion for Summary Judgment, which I understand from my attorneys to be a submission to this Court seeking to have this action dismissed.
2. I have been advised by my attorneys that in their summary judgment motion, the defendants are suggesting that I testified that my late sister was "ambulatory" prior to her death (I understand from counsel that the defendants' statement is not appropriately or clearly limited in scope of time).
3. I was not asked at the deposition if Valerie was "ambulatory" and the questions that might relate to her level of activity were non-specific as to time.
4. If I had been asked if Valerie was ambulatory during her last months, I would have testified that she was not ambulatory. She moved with great difficulty. Valerie was only able to walk with assistance, especially during her last three months.

Wherefore, for all of the reasons given is the Memorandum of Law, the Declaration of Jacques Catafago, Esq. and exhibits submitted herewith in Opposition to the Motion for Summary Judgment, I respectfully requests that the defendants motion be denied in its entirety.

Dated: Queens, New York
September 8, 2008


Loretta Lee